

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

Comcast of Massachusetts I, Inc.)	Case No.: 04cv10943 MLW
)	
Plaintiff,)	AFFIDAVIT OF ATTORNEY FOR
)	PLAINTIFF'S MOTION FOR
vs.)	WITHDRAWAL WITHOUT PREJUDICE
)	OF REQUEST
Emily & James Terilli)	FOR ENTRY OF DEFAULT
)	
Defendant)	

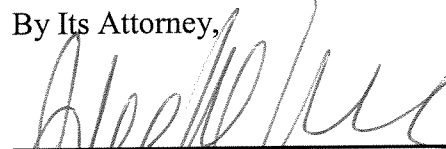
Now comes John M. McLaughlin, Attorney for the Plaintiff in the above-entitled action, and, on oath, states the following:

1. On May 12, 2004, the Plaintiff filed a Complaint against the Defendants, Emily Terilli and James Terilli, in United States District Court, alleging violations of 47 U.S.C. § 553.
2. On July 1, 2004, the Plaintiff filed a Request For Entry Of Default based upon an affidavit, which stated that the Defendants had not answered or otherwise responded.
3. Plaintiff's initial request was based upon Plaintiff's counsel understanding that no answer had been made.
4. On or about July 1, 2004 a letter sent by the Defendants came to light after I had already filed a request for default.
5. This document was not noted as an answer in my file, and I am uncertain whether the court will accept it as an "answer".

Subscribed and sworn to, under the pains and penalties of perjury.

Respectfully Submitted for the Plaintiff,
Comcast of Massachusetts I, Inc.
By Its Attorney,

7/1/04
Date


John M. McLaughlin (CT16988)

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